

APPENDIX 1

To: Makara / Ohariu Community Board Mtg 17 April 2008

From: Deb Compton – Project West Wind Community Liaison Group
– Community Representative

Item 1: Meridians Project West Wind (PWW) Consent Compliance

Item 2: Request to Greater Wellington Regional Council – Graham Hook

Item 3: Request for status of Consent Variation application by Meridian

**Item 1: Meridians Project West Wind (PWW) Consent Compliance –
Monitoring & Enforcement by Wellington City Council (WCC) –
unsatisfactory performance**

I am disappointed and frustrated with Wellington City Councils (WCC) ineffective, if not negligent, performance in regards to the Compliance Monitoring and Enforcement of the conditions from the Environment Court Resource Consent approval in **July 2007** for Meridians Project West Wind (PWW).

I have provided a very high level overview for three examples of unsatisfactory performance by WCC for PWW resource consent conditions compliance monitoring and enforcement.

The first example is in relation to the conditions set to minimize risks to public safety with Traffic Management Plans “in place” to satisfy specific issues and events.

The “plan” was to be... *“approved by WCC Chief Transport Engineer before the upgrades to public road and transportation to the site begins, and before any significant upgrading or refurbishment to the wind farm”*... The plan was accepted by WCC in August and after several requests, was provided to the Community Liaison Group (CLG) in early December.

Upon review (February 2008), the CLG Community representatives, identified that at best, the document was “incomplete. There are some conditions not included (“gaps”) and several areas where Meridian failed to execute their documented “mitigation” actions or where the “mitigation” actions did not satisfy the consent requirements.

Meridian have since submitted a “revised” plan, yet to be approved by WCC and without any deadlines to deliver or execute.

It is now mid April, and construction has been ongoing for at least 8 months and we are without the protection provided by the consent conditions.

Most recently, issues have been reported with, the lack of prior notification for planned traffic delays & road closures, for oversize construction traffic while the school bus is on route and for oversize vehicles on Makara road prior to 6am agreed start time.

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Last week, an accident occurred between a PWW Crane truck and a Makara resident due to inadequate traffic management.

It is unacceptable that we have been subjected to non-compliant traffic and risks for this long without any consequence to the consent holder and that non compliant “business as usual” construction traffic be allowed to continue while an accepted Traffic Management plan is implemented, monitored and if need be, enforced.

The second example relates to the conditions set by the environment court that local road improvements needed for Makara & South Makara Roads, were to be completed and approved by WCC before construction began.

There has been much debate whether “construction” applied to the activities that began in September or the actual (yet to be started) “construction” of the turbines themselves with no definitive answer. The local road improvement “signoff” by WCC has not yet occurred for Makara Road, South Makara Road has been :signed off” as complete..

There have been many reports in the past 2 months, to Meridian and WCC in regards to the degradation of the road conditions on South Makara Road as a result of “improvements”.

South Makara Road has been made more unsafe, with the debris from sheered bank faces of clay & rotten rock falling onto the road and into drainage gutters. WCC response is that this is now to be addressed as per normal maintenance process, with crews being despatched to “clean up” as it occurs, which has been the case.

There is no plan to mitigate or remedy this situation to prevent, the inevitable, recurrence.

What if...

WCC staff had those nearest and dearest to them, departing South Makara Road early (6:10am) on a foggy, Monday morning, knowing that the weekend rain had road crews working on some large slips into the night, add to that a large transporter parked blocking a full lane of the road, a fallen tree branch and PWW construction traffic, with no knowledge of the road conditions headed into Makara, Would they be “satisfied” with no plans to remedy the situation? These were the actual events of Monday 07 April. would they be “satisfied” with no plans to remedy the situation?

WCC is now responsible to have the “road improvements” rectified to a safe standard equal to or better than the road condition prior to the “improvements” and to assess any requirements to be addressed in regards to PWW construction traffic while these activities are carried out, be it limiting the volume, types, or timings of the traffic or strict control of it’s movements.

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My final example is in relation to the consent conditions that stated that Meridian establish an 0800 number for the public to raise issues and a log book of calls be provided to WCC for review. Due to “start-up” problems the 0800 call centre was not fully functional until November.

The service on the 0800 number has been inconsistent and follow-up actions for any issues arising from the WCC “log book review are not actioned in timely or effective manner or in some cases are not actioned at all...some calls can go unanswered, have not been responded to appropriately or have had no response at all.

The community have little evidence or confidence that there will be any action taken as a result of their calls, this would not have been the objective of the Environment Courts condition to establish such a number

One of the many, many examples includes a call on March 31, when I reported 2 instances of oversize construction traffic on the road during the school bus route times (ticket #1643636). I called again today to report (ticket # 1646645) ANOTHER school bus route times “breach” that occurred on Friday last week (March 11).

The only update the consultant could give me for my previously logged call was that, “it had been passed to Meridian and someone should have gotten in touch with me within five working days”.

It is now 14 April, 9 working days...I am without a response and am deeply concerned that safety for the school bus has again been compromised.

In summary, the 3 matters mentioned are but a sample of Conditions not being complied to, there are other matters being raised including but not limited to Noise and the contamination of Air (dust) & Water, in some cases, conditions that should have been adhered to since the Courts decision in July 2007. I hope that the 3 matters will give you a “feel” for the current and now critical situation.

There is no consolidated view of ALL the issues being raised to WCC, Meridian, the Community Liaison Group, and GWRC. I would estimate that 90% of the items raised have not been “resolved”.

The Makara Community have high but not unreasonable expectations of the elected Community Liaison Group representatives. Despite huge efforts from them and the representatives, there has been little or no action on these serious issues. The community are frustrated and angry with this situation and demand action.

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Please explain how Meridian activities continue with a total “disregard” for the Environment Courts approval conditions without consequences or enforcement from WCC?

The community and public have been subjected for far to long from issues arising due to non compliance.

I ask that the Community Board provide “the process” to escalate the unsatisfactory performance of WCC in regards to Resource Consent Condition Compliance Monitoring & Enforcement.

I am available to discuss further or to provide additional information and evidence for these and other condition compliance issues, there are volumes.

Item 2: Request to Greater Wellington Regional Council on behalf of Graham Hook

Graham Hook (#819 Makara Road) has raised the issue of water contamination with GWRC pollution hotline at least twice in the past month. The complaint is still being investigated, and until resolved Mr. Hook is requesting a “formal” assurance from GWRC that there is no possibility that the ‘contamination’ being experienced in the waterways on his property originates from or near the domestic rubbish tip on the Meridian PWW site. When can this assurance be provided?

Item 3: Request for status of Consent Variation

Meridian applied to WCC in early March for a consent variation to allow construction of external buildings to house turbine transformers.

What is the current status of the consent?

If not yet approved, has the Councils planner completed an assessment on the issue of notification? And what was the decision on notification?

Thank you & Regards,

Deb Compton
Community Representative – PWW Community Liaison Group
306 South Makara Road
Bus: 462-3461
Res: 476-3246
Email: dcompton@nz.ibm.com